

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 25-67 are pending in this application. Previous claims 1-24 are hereby canceled without prejudice or disclaimer of subject matter. Claims 25, 37, 50, 63 and 66 are independent. Support for this amendment is provided throughout the Specification as originally filed. No new matter has been introduced by this amendment. The cancellation of previous claim 1 renders the objection moot. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §102(e)

Previous claims 1-24 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,587,127 to Leeke et al. Applicants respectfully submit that new claims 25-67 are patentable over U.S. Patent No. 6,587,127 to Leeke et al.

New independent claim 25 recites, *inter alia*:

“...extracting from a main service presently received by said receiving device service information about at least one of said corresponding additional services; accessing at least one of said additional services about which service information was extracted according to said respective extracted service information;

...updating said stored service information each time the extracting step is executed.” (emphasis added)

As understood by Applicants, U.S. Patent No. 6,587,127 to Leeke et al. relates to a method of operation of a server (102) interacting with users (104, 106) to provide personalized content to each of the users. Personalized content is sent to a first user by communicating first audio or other content associated with a broadcast to a first user location. Second content is selected and a first signal is communicated to the first user location dependent on the user profile. The second content can include second audio content selected in dependence upon the first user profile, in which case playback of the second audio content is synchronized with respect to playback of the first audio content. (See Abstract, emphasis added)

It is respectfully submitted that the cited portions of U.S. Patent No. 6,587,127 to Leeke et al. (hereinafter, merely “Leeke”) do not disclose the above-cited features of claim 25.

New independent claim 25 recites storing of extracted service information and updating of said stored service information each time service information is extracted from a received main service. Applicants submit that Leeke does not disclose or suggest either of these features.

As discussed *e.g.* in lines 26-30 on page 3 of the present specification, service information is information about at least one additional service provided by a service provider, said information indicating how to access said at least one additional service. Service information is contained within a main service broadcast from a service provider.

Applicants note that col. 4, lines 50-67 of Leeke, which were cited by the Examiner with regard to the aforementioned features of previous claim 1, discusses a content delivery component that includes a player and that resides on a server to assist in selecting,

retrieving and playing audio content. While the player is accessible via an electronic network by a dedicated electronic address such as a URL, Applicants submit that Leeke fails to disclose or suggest service information indicative of how to access additional services included within a respective main service.

Furthermore, Applicants submit that Leeke fails to disclose or suggest the more specific features of storing an extracted service information or an updating of said stored service information each time service information is extracted.

Therefore, for at least the above-stated reasons, Applicants submit that claim 25 is patentable.

New independent claim 37 recites, *inter alia*:

“...activating said receiving device or necessary parts thereof for receiving a service during time intervals in which an additional service is transmitted from the corresponding service provider to said receiving device; and
returning said receiving device or said parts thereof into the state before activation during the rest of the time,
wherein said processes of activating and returning are performed on the basis of stored service information or latest extracted service information.” (emphasis added)

Thus, new claim 37 recites an activating and a returning that are performed on the basis of stored service information or latest extracted service information. Applicants submit that Leeke does not disclose or suggest these features.

Applicants submit that col. 8, line 66 to col. 9, line 7 and column 9, lines 40-49 in Leeke, which were cited with regard to the aforementioned features of previous claim 8, relate solely to features that allow a user to control behavior of the aforementioned player. Specifically, the passages relate to a cancel button that, if chosen by the user, resets the player to either a previous state or to an idle state.

Thus, Applicants submit that Leeke fails to disclose or suggest the claimed feature of activating/returning based on service information, as recited in new claim 37. Therefore, Applicants submit that claim 37 is patentable.

New claim 66 recites similar features and is believed to be patentable for similar reasons.

New independent claim 50 recites, *inter alia*:

“...when the receiving device is in its activated state, only accessing additional services that are transmitted over service channels used by said main services presently received or that have a specific priority level.” (emphasis added)

Thus, new independent claim 50 recites the step of, if the receiving device is in its activated state, only accessing additional services that are transmitted over service channels used by the main services presently received or that have a specific priority level.

Applicants submit that col. 8, lines 3-16 in Leeke, which was cited by the Examiner with regard to previous claim 11, relates to a presentation of content available from over-the-air broadcasts. Also, col. 10, lines 5-15, which was also cited by the Examiner with regard to previous claim 11, describes presets that act as filters to comb through the aforementioned, available content for specific, frequently-used material. Applicant has found nothing that would disclose or suggest restriction of access to particular additional services, as recited in claim 50.

Thus, Applicants submit that Leeke neither discloses nor suggests the above-cited features of claim 50. Therefore, Applicants submit that claim 50 is patentable.

New independent claim 63 recites, *inter alia*:

“...wherein said time information is structured so that it comprises at least one relative time to a full hour if said corresponding additional service is transmitted every hour, or

at least one offset to the time of the beginning of the day plus at least one repetition rate of said corresponding additional service.” (emphasis added)

New independent claim 63 recites that the time information of a broadcast signal is structured so that it comprises at least one relative time to a full hour if said corresponding additional service is transmitted every hour, or at least one offset to the time of the beginning of the day plus at least one repetition rate of said corresponding additional service.

Applicants submit that Leeke does not disclose or suggest time information having the claimed structure, i.e. having a structure especially suited for additional services that are available at regular intervals, as recited in claim 63.

Therefore, Applicants submit that claim 63 is patentable.

III. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

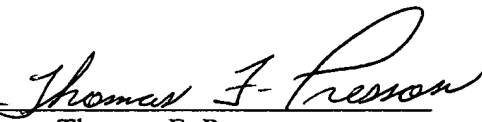
CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,
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